

Remarks

Claims 61-117, 119 and 120 are pending in the present application. By the present amendment, Claims 61, 63, 105, 117, 119 and 120 have been amended. No new matter has been entered.

As the Examiner explained in the Office Action of June 27, 2007, the rejections of independent claims 61, 63, 105, 117 and 119-120 under 35 U.S.C. §103(a) have been maintained. According to the Office Action, "the sidewalls of the waveguides 50 and 52 and modulator sidewalls" as depicted in FIG. 7 of Erben et al. define the pair of cladding containment regions recited in the claims. Applicants appreciate this point of clarification and have further amended the independent claims to recite that "the waveguide core is disposed between the cladding containment regions such that each side of the waveguide core forms a side wall of a cladding containment region." This structure is clearly illustrated in the originally-filed drawings of the present application. Applicants respectfully submit that Erben et al. does not teach or suggest cladding containment regions of this nature and could not properly support an anticipatory or obviousness rejection of the presently pending claims.

In view of the above amendments and remarks, applicants submit that the application is now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully requested. Respectfully submitted,

By / Brian A. Tent /

Brian A. Tent

Registration No. 57,446

DINSMORE & SHOHL LLP
255 E. Fifth Street, Suite 1900
Cincinnati, Ohio 45202

Tel. 513-977-8308

Fax. 513-977-8141